

UNITED STATES BANKRUPTCY  
COURT  
DISTRICT OF NEW JERSEY

Caption in compliance with D.N.J. LBR 9004-2(c)

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**In Re:**

**VINCENT J. DOMENICO and  
KRISTEN D. DOMENICO,  
Debtors**



Order Filed on September 8, 2021  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey


Case No.: 20-22858-ABA

Judge: Andrew B. Altenburg Jr.

**CONSENT ORDER MODIFYING STAY AS TO MOTOR VEHICLE  
2018 FORD TRUCK F150 CREW CAB XLT 4WD**

The relief set forth on the following pages, number two (2) through four (4) is hereby  
**ORDERED.**

**DATED: September 8, 2021**

  
\_\_\_\_\_  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

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Debtors: Vincent J. Domenico and Kristen D. Domenico  
Case No.: 20-22858-ABA  
Caption of Order: Consent Order Modifying Stay as To Personal Property

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1. The 11 U.S.C. § 362(a) Stay as to Ally Capital, its successors and/or assigns ("Movant"), with respect to the personal property of the Debtors described as a 2018 FORD TRUCK F150 Crew Cab XLT 4WD, V.I.N. 1FTEW1EP5JFC79234, in accordance with the agreement of the Debtors and Movant, is hereby modified and shall remain in effect PROVIDED THAT Debtors comply with the following terms and conditions:

(a) Debtors shall pay through the Chapter 13 Plan the post-petition arrears due through September 2, 2021 in the amount of \$6,398.10; and

(b) Debtors will resume making all future regular monthly installment payments of \$639.81 (subject to changes for taxes, insurance costs and late fees, if any) beginning on September 22, 2021; Debtors will timely make each payment in accordance with the terms and conditions of the loan document between Debtors and Movant.

2. Debtors will remain current on all payments ripe, due and owing under the terms of the Chapter 13 Plan. Debtors will pay Movant as an administrative expense through the Chapter 13 Plan the sum of \$313.00 for attorney's fees and costs.

3. The term "payment" as set forth in Paragraph 1, *supra*, does not include a check that is returned due to insufficient funds, account closed or is otherwise not capable of negotiation for any other reason.

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4. Debtors will be in default under the Consent Order in the event that Debtors fail to comply with the payment terms and conditions set forth in Paragraph 1, *supra*. If Debtors fail to cure the default within thirty (30) days from the date of default, Movant may apply on five days' notice to Debtors, and counsel for Debtors and the Chapter 13 Trustee for an order lifting the automatic stay imposed under 11 U.S.C. § 362(a) and permitting Movant to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing a sale of the motor vehicle without regard to any future conversion of this matter to a different form of bankruptcy.
5. In the event Debtors convert to a bankruptcy under any Chapter other than Chapter 13 of the Bankruptcy Code, then Debtors shall pay all pre-petition arrears and post-petition arrears due and owing within fifteen (15) days from the date the case is converted from Chapter 13 to any other Chapter. If Debtors fail to make payments in accordance with this paragraph, then Movant, through counsel, may file a Certification of Default setting forth said failure and Movant shall be granted immediate relief from the automatic stay provisions of Section 362 of the Bankruptcy Code (11 U.S.C. § 362) and the Movant is then permitted to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing a sale of the motor vehicle.
6. The failure of Movant to issue a notice of default will not be construed or act as a waiver of any of the rights of Movant under the Consent Order.

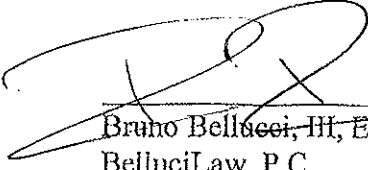
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7. Debtors waive the fourteen (14) day stay provided under Rule 4001(a)(3), F.R.B.P.

**We hereby consent to the form and entry of the foregoing Order.**



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